

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

DAVID JONATON CAMBRANIS,

*Plaintiff,*

vs.

MICHAEL POMPEO, SECRETARY, U.S.  
DEPARTMENT OF STATE;  
ATTORNEY GENERAL OF THE  
UNITED STATES, EXECUTIVE  
OFFICE OF THE OFFICE OF THE  
LEGAL ADVISER,

*Defendants.*

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SA-19-CV-00238-JKP

**ORDER STAYING DISCOVERY**

Before the Court in the above-styled cause of action is the parties' Joint Motion to Adopt Scheduling Recommendations [#22]. The motion was referred to the undersigned on August 21, 2019, and the Court set this case for an Initial Pretrial Conference on September 12, 2019. Defendants subsequently filed a Motion to Dismiss [#25] raising jurisdictional issues, which remains pending before the District Court. The parties moved to continue the pretrial conference, and on this day, the Court held the conference as scheduled. At the conference and in their Rule 26(f) report [#38], the parties jointly requested that the Court stay discovery and delay the entry of a Scheduling Order pending the District Court's resolution of Defendants' Motion to Dismiss.

"District courts have broad discretion in all discovery matters." *Seiferth v. Helicopteros Atuneros, Inc.*, 472 F.3d 266, 270 (5th Cir. 2006) (internal quotation omitted). This includes the discretion to stay discovery for good cause shown. *See* Fed. R. Civ. P. 26(c)(1). Good cause may exist if the party seeking the stay demonstrates that "annoyance, embarrassment,

oppression, or undue burden or expense” would result absent the stay. *Id.* It also may be appropriate where the disposition of a motion to dismiss “might preclude the need for discovery altogether thus saving time and expense.” *Landry v. Air Line Pilots Ass’n Int’l AFL-CIO*, 901 F.2d 404, 436 (5th Cir. 1990). The Court will therefore stay discovery and dismiss the parties’ joint motion to adopt scheduling recommendations. If the District Court denies the motion to dismiss, the parties are to file revised scheduling recommendations within 14 days of the Court’s order.

**IT IS THEREFORE ORDERED** that discovery is **STAYED** pending the resolution of Defendants’ Motion to Dismiss [#25].

**IT IS FURTHER ORDERED** that, if the Motion to Dismiss is denied, the parties submit revised joint proposed scheduling recommendations within **14 days** of the Court’s Order denying the Motion.

**IT IS FINALLY ORDERED** that the parties’ Joint Motion to Adopt Scheduling Recommendations [#22] is **DISMISSED AS MOOT**.

SIGNED this 12th day of December, 2019.



ELIZABETH S. ("BETSY") CHESTNEY  
UNITED STATES MAGISTRATE JUDGE